



General Assembly

Amendment

February Session, 2008

LCO No. 5439

SB0036805439SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

SEN. GAFFEY, 13th Dist.

SEN. HANDLEY, 4th Dist.

SEN. MCDONALD, 27th Dist.

SEN. STILLMAN, 20th Dist.

SEN. FONFARA, 1st Dist.

To: Subst. Senate Bill No. **368**

File No. 258

Cal. No. 178

"AN ACT CONCERNING THERMAL ENERGY TRANSPORTATION."

1 In line 13, strike "steam"

2 In line 14, strike "transportation"

3 In line 385, strike "Steam" and insert "Thermal Energy" in lieu
4 thereof

5 After the last section, add the following and renumber sections and
6 internal references accordingly:

7 "Sec. 501. Section 3 of number 7 of the special acts of 1961, as
8 amended by special act 97-1, is amended to read as follows (*Effective*
9 *from passage*):

10 (a) Said corporation is authorized and empowered, either directly or
11 through the agency of its parent, a subsidiary or an affiliate: To

12 furnish, from plants located in the city of Hartford, heat or air
13 conditioning, or both, by means of steam, heated or chilled water or
14 other medium; to lay and maintain mains, pipes or other conduits, and
15 to erect such other fixtures as are or may be necessary or convenient in
16 and on the streets, highways and public grounds of said city, for the
17 purpose of carrying steam, heated or chilled water or other medium
18 from such plants to the location to be served and returning the same;
19 and to lease to one or more corporations formed under the general law
20 or specially chartered for the purpose of furnishing heat or air
21 conditioning, or both, one or more of such plants or distribution
22 systems, or both, owned by it and constructed or adapted for either or
23 both of such purposes.

24 (b) On and before May 6, 2008, (1) under no circumstances shall said
25 corporation, parent, subsidiary or affiliate terminate or interrupt
26 service to one or more customers or structures if such termination or
27 interruption of service is likely in any manner to result in the
28 endangerment of the public health, safety or welfare of the occupants
29 of any building being supplied steam, heated or chilled water or other
30 medium or if such termination or interruption is likely to result in any
31 potential disruption or interruption of the provision of any
32 governmental or nongovernmental services, provided the customer
33 recipient of the service was receiving such service as of January 1, 2008,
34 and has not previously been terminated, after being provided an
35 opportunity to cure, for failure to pay any reasonable rates under any
36 existing contract or as approved by the Department of Public Utility
37 Control, and (2) in no event shall the corporation, parent, subsidiary or
38 affiliate be entitled to terminate any customer who, while in good faith
39 contesting any charges imposed under any existing contract, remits
40 payment of those amounts not in dispute.

41 Sec. 502. (*Effective from passage*) (a) On and before May 6, 2008, and
42 subject to the provisions of subsection (b) of this section, the
43 Department of Public Utility Control shall regulate any thermal energy
44 transportation company, as defined in section 16-1 of the 2008
45 supplement to the general statutes, as amended by this act, in the same

46 manner as provided for public service companies under title 16 of the
47 general statutes with regard to the setting of rates, charges and
48 revenues; the obligation to provide service, maintenance of facilities
49 and equipment; reliability of service; ownership of the company and
50 any transfer of such ownership; and any provisions for the
51 enforcement of such regulation as provided under title 16 of the
52 general statutes.

53 (b) The Department of Public Utility Control shall not take any
54 regulatory action under subsection (a) of this section without the
55 approval of the joint standing committee of the General Assembly
56 having cognizance of matters relating to energy. The department shall
57 submit a notice summarizing any such proposed regulatory action
58 with the Senate clerk. The Senate clerk shall stamp the date and time of
59 receipt on such notice and immediately submit the notice to said
60 committee. Not later than forty-eight hours after the date and time
61 stamped on the notice, said committee shall notify, in writing, the
62 chairperson of the Public Utilities Control Authority of the committee's
63 approval or disapproval of the proposed regulatory action, provided if
64 the committee does not act on the proposed regulatory action within
65 such forty-eight hour period, the proposed regulatory action shall be
66 deemed approved."